

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

IN RE:)
CUMMINGS MANOOKIAN, PLLC,) Case No. 3:21-cv-00797
Debtor.)
) Judge Waverly D. Crenshaw, Jr.
) Magistrate Judge Alistair E. Newbern
)

**APPELLANT BRIAN MANOOKIAN'S STATEMENT OF THE ISSUES
TO BE PRESENTED AND DESIGNATION OF ITEMS TO BE
INCLUDED IN APPELLATE RECORD**

Pursuant to Federal Rule of Bankruptcy Procedure 8009, Appellant Brian Manookian (“Appellant”) hereby files this Statement of the Issues to be Presented and Designation of Items to be Included in Appellate Record.

Issues To Be Presented

Whether the Bankruptcy Court erred in approving the Trustee’s motion to settle a claim for \$250,000 after the underlying judgment was vacated, opposing counsel in the underlying case offered to settle it for \$0, the Trustee failed to investigate the claim, and the Trustee’s special counsel had an irreconcilable conflict of interest based on his involvement as receiver in the underlying action; and

Whether the Bankruptcy Court erred in finding that Appellant lacked standing to object to the Trustee’s motion to settle the foregoing claim.

Designation of Items To Be Included in Appellate Record

The appellate record consists of the following:

1. All docket entries in the bankruptcy proceeding (No. 3:19-bk-07235) and related adversary proceeding (No. 3:20-ap-90002), specifically including bankruptcy proceeding docket

entries 108, 112, 123, 124, 125, 131, 135, 136, 144, and 147, and adversary proceeding docket entries 1, 2, 7, 10, 15, 68, 71, and 73, and all attachments thereto; and

2. Transcript of September 29, 2021 hearing (attached as Exhibit 1).

Date: October 28, 2021

Respectfully submitted,

/s/ John Spragens

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Statement of the Issues to be Presented and Designation of Items to be Included in Appellate Record was filed October 28, 2021 and served electronically upon the following parties in interest as indicated on the receipt issued by the Court's electronic filing system:

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